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**MEMO ENDORSED**

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VIA ECF

The Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square, Room 240  
New York, New York 10007

Re: Phoenix Light SF DAC, et al. v. The Bank of New York Mellon, 18-cv-1194 (S.D.N.Y.)

Dear Judge Caproni:

Pursuant to Section 5(B)(ii) of Your Honor's Individual Practices in Civil Cases, the parties respectfully move to permit Plaintiffs to redact a portion of their opposition to Defendant's *Daubert* motion [ECF No. 133]. Plaintiffs' opposition is currently due on June 23, 2020.

Plaintiffs intend to quote a portion of a document [ECF No. 131-6] that was subject to BNYM's prior motion to seal [ECF No. 128], which this Court granted. *See* ECF No. 139. Defendant BNYM wrote at the time that the sealing satisfied the two-part *Lugosch* test, because the document was not a "judicial document," and because BNYM's interest in maintaining the confidentiality of its organizational practices outweighs the public's interest in access. *See* ECF 128. In light of the Court's prior Order granting sealing of this document, Plaintiffs respectfully request permission to redact the same document from their publicly filed opposition brief. The redaction will be limited to the portion of their brief that quotes the sealed document. Defendant consents to this motion.

Respectfully Submitted,

/s/ Steven S. Fitzgerald  
Steven S. Fitzgerald

/s/ Matthew D. Ingber  
Matthew D. Ingber

Application GRANTED.

SO ORDERED.

  
6/23/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE